

(Translation of a notice from the Taiwan Patent Office)

DECISION OF REJECTION
TAIWAN PATENT OFFICE

Patent Application No.: 90114461

Applicant : Kabushiki Kaisha Toshiba

REMARKS

DECISION

The present invention is judged unpatentable under Section 20(1) of the Taiwan Patent Law.

REASONS

1. The “computer system and a method of controlling revolution number of a cooling fan” of the present application relates to a circuit for controlling revolution number of a cooling fan by combining two temperature sensors. The temperatures of the CPU and power supply circuit are detected. The controller controls the speed of revolutions of the fan in accordance with the detection values of the two temperature sensors. Thus, the objects of improving the efficiency of use to cool the fan, reducing the consumed power and restricting noise generation can be achieved.

2. The present invention lacks novelty as Patent Publication No. 424174 “radiator of integrated circuit” published on March 1, 2001 discloses the technical characteristics of the circuit of controlling the revolution number of a fan by two temperature sensors. In the specification of the present application, the fan revolution number control circuit is designed in view of a CPU having a plurality of machine modes. The machine characteristics of the CPU are not directly related with the present invention. Recognition of the temperature of the CPU depends on the detection values of the temperature sensors and is not directly

related with the machine modes of the CPU. A person skilled in the art could easily have operated the flag mode of the controller for general use.

3. As described above, the present invention is judged unpatentable as the present invention is identical with the invention whose application was filed prior to the present application but published after the present application or contents described in the specification or drawings attached to utility model applications.

It is concluded that the decision is made under Section 20(1) of the Patent Law as the present application does not satisfy the requirements for patent.

To argue against the present decision, re-examination can be requested by filing two copies of a Reason for Re-Examination within 30 days from the date next to the mailing date of the present document together with payment of N.T. 6,000 dollars. In a case where the number of total pages of the specification and drawings exceeds fifty, N.T. 500 dollars must be added for every fifty additional pages. If the number of the total pages is smaller than fifty, the number is regarded as fifty.

正本

經濟部智慧財產局專利核駁審定書

受文者：東芝股份有限公司（代理人：林志剛先生）

地址：台北市南京東路二段一二五號七樓

發文日期：中華民國九十一年十一月四日
發文字號：（九一）智專二（一）08070字

第〇九一八三〇一九三三九號

- 一、申請案號數：〇九〇一一四四六一
二、發明名稱：電腦系統及冷卻風扇之轉速控制方法
三、申請人：

名稱：東芝股份有限公司

地址：日本

四、專利代理人：

姓名：林志剛先生

地址：台北市南京東路二段一二五號七樓

五、申請日期：九十年六月十四日

六、優先權項目：

1 2000/06/16 日本2000-182349

專利分類IPC(7).....G05B 11/00, F24F 7/00

七、審查人員姓名：洪丈力 委員

八、審定內容：

主文：本案應不予專利。

依據：專利法第二十條之一。

理由：

(一) 本案：「電腦系統及冷卻風扇之轉速控制方法」，係關於一種結合雙溫度感測器之風扇轉速控制電路。其可同時偵測CPU溫度及電源電路之溫度，藉由此二溫度感測器之量測值作為控制器控制風扇轉速快抑或慢之依據，以提高冷卻風扇之使用效率，進而達到減少耗電量及抑制雜音之目的。

(二) 經查本案與九十年三月一日公告之我國專利公報公告第四二四一七四號專利：「積體電路之散熱裝置」（如引證附件）中已揭露一種雙溫度感測器風扇轉速控制電路之技術特徵，故不具新穎性。蓋本案發明專利說明書中所強調，其風扇轉速控制電路係針對具複數工作模式之CPU而設計，然該CPU之工作特性與本案之發明並無直接關係，因為其所認知之CPU溫度高低，乃藉由溫度感測器之偵測值，而與該CPU之工作模式並無直接關連。此外，其通用控制器之旗標模式運用，係熟悉該項技術者所能輕易完成。

(三) 綜上所述，本案係有與申請在先而在其申請後始公開或公告之發明或新型專利申請案所附說明書或圖式載明之內容相同者，故本案應不得取得專利。

據上論結，本案不符法定專利要件，爰依專利法第二十條之一，審定如主文。

局長
蔡練生

依照分層負責規定授權單位主管決行

如不服本審定，得於文到之次日起三十日內，備具再審查理由書一式二份及規費新台幣陸仟元整（專利說明書及圖式合計在五十頁以上者，每五十頁加收新台幣五百元，其不足五十頁者以五十頁計），向本局申請再審查。